

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Randolph J. NOELLE et al

Application No. 09/164,568

Filed: October 1, 1998

For: METHODS FOR INDUCING
ANITIGEN-SPECIFIC T CELL
TOLERANCE



) Group Art Unit: 1644

) Examiner: P. Gambel

#8 ELECTION
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ELECTION REPLY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action [Restriction Requirement] mailed June 8, 2000, in connection with the above-identified application, Applicants elect, without traverse, Group II, i.e., Claims 54 through 63, directed to a method for reducing a T-cell response to an auto-antigen expressing cell utilizing a gp39 antagonist.

Moreover, as the particular gp39 antagonist, Applicants further elect purposes of examination an anti-gp39 antibody or fragment thereof.

The Restriction Requirement is only respectfully traversed as it pertains to the division of the particular types of gp39 antagonists. Applicants respectfully submit that it is reasonable to conclude that other anti-gp39 antagonists, such as soluble CD40, will

function equivalently to antibodies specific to gp39 or fragments thereof. Also, this would be consistent with the Examiner's dispensation of related cases.

If the Examiner has any questions in connection with this Election, or any other matter, he is respectfully requested to contact the undersigned so that prosecution may be expedited.

Respectfully submitted,

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